

PROB 12C
(7/93)Report Date: January 27, 2010
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

Eastern District of Washington

JAN 27 2010

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Franklin Demack Scribner

Case Number: 2:02CR02156-001 and
2:08CR02126-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 03/05/2003 2:02CR02156-001
10/11/2007 2:08CR02126-001Original Offense: Ct. 2: Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g) and 924(a)(2)
2:02CR02156-001 Ct. 3: Possession of Unregistered Firearm 26 U.S.C. §§ 5841, 5861(d), and 5871

2:08CR02156-001 Ct. 1: Possessing Contraband in Prison, 18 U.S.C. §§ 1791(a)(2), (b)(3)

Original Sentence: Prison - 51 Months; Type of Supervision: Supervised Release
TSR - 36 MonthsPrison - 18 Months; Type of Supervision: Supervised Release
TSR - 36 Months

Asst. U.S. Attorney: Robert A. Ellis

Date Supervision Commenced: 9/21/2009

Defense Attorney: Rick Hoffman

Date Supervision Expires: 7/20/2011

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violation previously reported to the Court on 11/12/2009.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On January 27, 2010, Mr. Scribner was booked into the Yakima City Jail and charged with unlawful use of force upon or towards (victim's name - dob: 8/30/96,) by shooting him with an airsoft gun, Yakima Police Department case number 2010-1370.

A narrative report has been requested.

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3 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Scribner failed to notify his probation officer of having contact with law enforcement on January 24, 2010.

On January 25, 2010, this officer conducted a home visit at Mr. Scribner's residence. The defendant advised he was interviewed by a social worker regarding an allegation of him disciplining his girlfriend's son by spanking him. Mr. Scribner failed to report he was also interviewed by a Yakima Police Department detective, who is a law enforcement officer.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

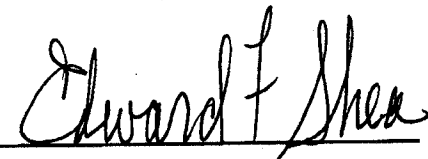
Executed on: 01/27/2010

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other


Signature of Judicial Officer

1/27/10
Date